

not liable to such severity, was anxious for his brother's sake.

The twenty-four minutes of procedure that decided the fate of the two men went forward slowly. It was quiet almost to the point of monotony. Pleas of guilty were entered with the assurance of District Attorney John D. Fredericks that he would urge clemency.

But whatever fortitude the two men had mustered for the occasion received a setback, and dismay threatened them for a moment as Judge Bordwell, in passing sentence on James B. McNamara, seemed to be inclined to inflict the death penalty. And though it did not come, the severity of Judge Bordwell's remarks cut into John J. McNamara's accustomed expression, half smile and half sneer, passed into one of dejection.

"I never saw a man change so much within a few minutes," declared Judge Bordwell later. "Attorneys close by saw tears in the eyes of John J. McNamara. The younger man, the confessed murderer, took his sentence calmly. As he resumed his seat he smiled in recognition of an acquaintance."

Judge Bordwell talked slowly and with supreme gravity. Causes to criminal trials, he pronounced his first sentence of importance outside of the civil cases which he has been handling for a score of years. The judge gazed at the prisoners as he pronounced judgment.

James B. McNamara came first. His face was pale. District Attorney Fredericks made a brief statement of the case, reading the prisoner's confession for the first time. As he spoke the courtroom was still. James B. McNamara stared hard out of a window.

Asks for Mercy. "There are two sentences," said Fredericks, with deliberation, "which the court may pronounce, possibly of equal severity. One is death and the other is life imprisonment. However, in the minds of a great many persons, and possibly in the mind of the defendant (I do not know, but I assume), the sentence of imprisonment for life would be considered in some degree a less punishment than death."

"There has been no dickering or bargaining in this matter. Counsel on either side are well aware of the usual custom of granting some degree of consideration to a defendant who has pleaded guilty, not on the ground of mercy, but on the ground of service to the State."

"This defendant has pleaded guilty. By so doing he has settled that which for all time, in the minds of a great many, would have been a doubtful question. He has served the State in other ways, and it is my judgment that some small degree of consideration should be extended to him because of that fact."

To that point the prisoner was calm and unmoved, but the judge started him. "The court," began Judge Bordwell, turning to the prisoner with an inquiring look, "desires to ask you one question, and one only, Mr. McNamara. You have stated in the writing which the district attorney has read that you placed sixteen sticks of dynamite, known as 80 per cent. pure, in the Times building and caused it to be exploded. The question I ask you is: Did you seek to purchase, for that same purpose, dynamite of a higher degree or percentage?"

Prisoner Denies It. The defendant paused and seemed to lose his composure. Finally he spoke:

"No, your honor, no, sir." "You did not?" "No, sir." "There is very little or no ray of comfort, Mr. McNamara," continued Judge Bordwell, "in the assertion by you that you did not intend to do this thing. The widows and orphans and the bereaved parents will look upon that statement at this time as a mockery. The circumstances are

## CATARRH The Enemy of Mankind

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Catarrh is a common disease in nearly every State in the Union.

It is also a vile and disgusting disease because its revolting symptoms cannot be hidden.

Many people despair of ever getting rid of catarrh, but if they will go about it in earnest they can stop the discharge in a few days, banish snuffles, hawking and itching in a few more days.

To end the miserable humiliation of catarrh, breathe HYO-MEI. Get a complete outfit to-day and see how quickly catarrh can be conquered if you will only try.

A HYO-MEI outfit (bottle of HYO-MEI and hard rubber inhaler) costs \$1.00. Pour a few drops into the inhaler and breathe it that's all you have to do. Breathe it five or six times a day and watch the symptoms of catarrh disappear one by one. HYO-MEI is guaranteed for catarrh, coughs, colds, sore throat and asthma. For sale by Trade Co. and druggists everywhere. Extra bottles if needed 50 cents.

## BRONZE TABLET COMMEMORATING THE SITE OF LIBBY PRISON

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This list will save you a lot of thinking and this store a lot of running and our prices save you a lot of money.

Hats—silk at \$8. Derbys, \$2.50 to \$5. Soft hats, fuzzy fashionable textures, \$1.85 to \$6.

Collars—the new fold and round tabs, 12½¢.

Neckwear—the new silk knitted, Persian designs, handsome brocades and odd designs, 50¢ to \$2.50.

Shirts—Russian corded madras, short plaited and stiff bosom, \$1 to \$3.50.

Underwear—silk, lisle, wool and mercerized, 50¢ to \$5.

Hose—silk, lisle and cashmere, 12½¢ to \$2.50.

Gloves—kid, fur and wool, 50¢ to \$8.

Handkerchiefs in silk, linen, mercerized—plain and fancy—10¢ to \$1.

Pajamas in silk, madras and soisette, \$1.25 to \$5.

Waistcoats, full dress, in silk and Marseilles; new fancy patterns for business wear.

Sweaters, Fur Coats, Suits, Overcoats, and Rain Coats for men, women, boys and girls.

Smoking Jackets, \$5 to \$20.

Bath Robes, \$2.50 to \$10.

Dressing Gowns, \$5 to \$20.

A swell leather Suit Case or Bag, \$5 and up.

Safety Razors, Military Brushes, Toilet Rolls, Scarf Pins, Cuff Links, Collar and Cuff Boxes, Silk Hat Boxes, Robes, Slippers, Sweaters, Full Dress Protectors, Walking Sticks, Umbrellas, Toilet Articles, etc.

All in Xmas boxes ready for the tree.

## O. H. BERRY & COMPANY

Life Imprisonment, and all I would suggest in that connection would be that the court take into consideration the probable life remaining to this defendant, and leave him, at the end of his term, a few years of freedom, not as a matter of mercy, not as a matter of consideration, not as a matter that he has earned or is entitled to, but because I believe it is a wise policy of the State, when a man survives himself, gives up and pleads guilty, and because of other services rendered to the State, that some small consideration, not much, but some, be extended."

The defendant rose again. "Mr. McNamara," said Judge Bordwell, "you have heard the court's remarks to your brother, and in no small degree, sir, they undoubtedly apply to you. And, as in his case, the fact that the court may not mete out to you the extreme penalty of the law is in no way due to any doubt that you merit it, but simply because it appears to be the part of wisdom to do otherwise. The judgment of the court now pronounces on your plea of guilty to this charge is that you be confined in the State prison in San Quentin for the period of fifteen years. You may be seated."

The district attorney indicated that it was customary to ask the occupation of the defendants. The brothers were again asked to rise.

James B. said he "hoped" his trade was "printing," and John J. said "structural iron worker."

The prosecuting attorney reminded the court that it had thirty days in which to make a report on the criminal character of the prisoners for the period of fifteen years. They may be seated.

The prisoners were led quickly back to the jail by Sheriff Hammel. Around the table where counsel had been seated, the spectators gathered, some congratulating the prosecuting attorney.

Sits in Silence. Clarence S. Darrow, chief counsel for the defendants, sat in silence throughout the proceedings. At the end he rose and with his associates followed the sheriff to the jail to console the prisoners.

In his office in the Hall of Records, District Attorney Fredericks later discussed the case. The age of John J. McNamara, as given by himself on the jail records, was thirty-four years. It was suggested, and a sentence of fifteen years, which means nine years and two months on good behavior, would bring the prisoner's age to only forty-three years.

"Well, I didn't fix the number of years," said Mr. Fredericks, "but I suppose the court took into account John J. McNamara's apparent age, which certainly seems like forty-seven years. In fact, I have always had the impression

that he was that old. After nine years in State's prison he will be an old man. "Some of the statements from union labor leaders repudiating the McNamara case are sincere, and some are not," Mr. Fredericks continued. "Some of the men who are making the loudest public utterances are implicated in the dynamiting outrages for which these men were sentenced to-day."

"As for John J. McNamara, I think there is nothing that he knows concerning this case which I do not know. It is not necessary for him to make any further statement."

The case is not yet closed, I believe, that never since the Civil War has the United States passed through such a crisis as was involved in this tremendous case. I believe that this trial and the ultimate results will mark the passing of the budget, the walking delegates and the dynamiter from the ranks of union labor. If this happens, as I am convinced it will, labor will have cleansed itself, and untold good will follow."

Late in the afternoon Oscar Lawler, appointed to-day to act as special prosecutor for the government in its investigation of the alleged dynamiting conspiracies, talked at length with the two McNamara brothers and members of their staff. Books and papers and details of the evidence in the McNamara case were on a table before them.

Edward A. Regan, assistant United States district attorney, joined them for a short time. When he returned to his office, he said the appearance of the McNamara brothers before the grand jury, which adjourned to-day for Thursday. They may be seated to-morrow.

To-day's conference is said to have been chiefly concerned with the confessions of Orlin Hammel, whose case has not yet been disposed of by the State. McManigal's story will be used to lay the preliminary foundation for the Federal inquiry here.

Mr. Lawler, who will be in charge of the inquiry, declared that he had not yet decided on the course the investigation would take.

"I do not know yet when the McNamara will be subpoenaed," he said. "It is a subject we have not fully discussed among ourselves."

In full to-night the McNamara read newspaper accounts of their sentences, and John J. McNamara, speaking for both, said:

"We are satisfied. We are resigned to our fate. We are ready to start to-day for the State prison. We wish to express our appreciation of Sheriff Hammel's treatment of us here and likewise all the jailers. Here we will get a humane treatment in the State prison."

Sheriff Hammel to-night received word from Special United States District Attorney Lawler to prepare preparations for removing the McNamara to the penitentiary. Subpoenas are said to have been drawn, requesting

the vote counters, and the fate of the dramatic "dry" ordinance remains uncertain, though the probability is that it was defeated.

The victorious ticket consists of Mayor Alexander and nine councilmen, including bankers, lawyers, merchants and realty brokers.

On the defeated Socialist ticket, beside Harriman, a lawyer for the McNamara, there were one negro laborer, a former editor of a morning newspaper, two iron molders and several labor leaders.

The peace insurance army of 1,000 officers, detailed to preserve order, had little to do. Only three minor cases of trouble were reported. For the peace and serenity that prevailed, leaders of both sides thanked the women, thousands of whom crowded about the police.

The women were treated with the greatest gallantry. Many mothers went to the police pushing baby carriages, and often fathers took care of baby while mother voted.

There is Only One "Bromo Quinine"

That is Laxative Bromo Quinine

USED THE WORLD OVER TO CURE A COLD IN ONE DAY.

Always remember the full name. Look for this signature on every box 25c.

W. D. Brown

MINIATURE ALMANAC, December 6, 1911. HIGH TIDE. Sun rises... 7:12. Moon rises... 4:14. Sun sets... 4:14. Moon sets... 1:37.

the appearance of the prisoners before the Federal grand jury.

Organized Labor Will Profit. Cleveland, O., December 5.—"Organized labor, the decent, orderly element will profit by the outcome of the McNamara case," said Detective William J. Burns before leaving for Philadelphia this evening. "And just as soon as they rid themselves of the radicals as Samuel Gompers and his progress will be all the more rapid and satisfactory."

"I think the public should be well satisfied with the sentences passed by Judge Bordwell at Los Angeles to-day, because if Judge Bordwell, an eminently fair and able jurist, had taken a life sentence for James B. and fifteen years for John J. adequate punishment his judgment has all the weight that could be given it by his long study of the case for passing on it."

"I can say that I am satisfied with Judge Bordwell's disposition of the matter, though I frankly say I think that the McNamara may consider themselves fortunate at escaping a greater penalty."

Mr. Burns would not say what were the net results of his visit to Cleveland nor would he outline his future movements except to say that after spending Wednesday in Philadelphia he would go on to New York, working on the dynamiting cases in both cities.

He was asked if his work here would result in more arrests or more indictments, but he declined to say anything in that connection.

He said he had no reason to expect further confession of the McNamara would involve others not now concerned in the dynamiting cases.

"Only First Chapter." New York, December 5.—"I am glad to hear that the death penalty was not imposed upon James B. McNamara, but I take it that the court, in pronouncing comparatively lenient sentences in both cases, has taken into consideration the fact that the prisoners rendered some service to the State. However, this is but the first chapter."

This is all that Walter Drew, counsel for the National Erectors' Association, said to-day, when word of the sentences passed by Judge Bordwell at Los Angeles.

Comment of Gompers. New York, December 5.—"I am glad a death sentence was not imposed. I am opposed to capital punishment under such circumstances. I think the sentences received by both men were appropriate to the crime."

This was the comment of Samuel Gompers to-night when asked if he was satisfied with the punishment meted out to the McNamara brothers in Los Angeles to-day.

"I would not make one statement," continued Mr. Gompers, "and that is concerning the strictures made by District Attorney Miller, of Indianapolis, as to the wisdom of my leadership of the American Federation of Labor. I want to say that if Miller or anybody else will go ahead and prosecute, I am not for him to say whether my leadership is wise or not. I consider his criticism a gratuitous and unwarranted impertinence. Miller has no right to set himself up as a guide. I propose to stand true to the cause of labor."

Mr. Gompers was asked if it were true that he and other labor leaders were advising "an era of pacification" in the matter of calling strikes in the future until the country had forgotten the McNamara case.

"All I can say to that," he replied, "is that when employers treat labor as fairly as organized labor treat the employers, then there will be industrial peace. The executive committee of the American Federation of Labor is the greatest conciliatory board that ever existed anywhere. It desires peace and amicable relations with employers half way."

"Mr. Gompers, did the Bridge and Structural Iron Workers' Union receive any money from other organizations during the time that the McNamara brothers were active in their dynamiting plots?" was asked.

"I am sure that I am under the impression that they did not receive one dollar from any outside organization," was the reply.

Frank Morrison, secretary of the American Federation of Labor, to-night added to his earlier statement in regard to the funds raised by the American Federation of Labor for the McNamara defense by saying that in due time a pamphlet would be published containing an itemized account showing where every dollar of the money went.

Deaths. MONTAGUE—Died, at her residence, 118 East Franklin Street, at 1:50 A. M. Tuesday, MISS HELEN MONTAGUE, daughter of the late John H. and Melinda M. Montague.

Funeral from St. James Episcopal Church THIS WEDNESDAY at 12 o'clock.

TALMAGE—Died, Monday, December 4, 1911, at 11:15 P. M., at his residence, 1122 North Twenty-sixth Street, WILLIAM WALTER TALMAGE, in the thirty-third year of his age.

The funeral will take place THURSDAY, December 7, at 10:30 o'clock, from the residence of his mother, 335 Harrison Street, Petersburg, Va. Friends and acquaintances are invited to attend. Interment in Blanford Cemetery.

TATUM—Died, December 5, in Wheeling, W. Va. MRS. TATUM, widow of Dr. R. H. Tatum. Funeral from Main Street Station at 1:12 o'clock P. M. THURSDAY, December 7. Interment in Hollywood.

WOODALL—Died, at the residence of his uncle, G. L. Satterwhite, 206 Fourth Avenue, Highland Park, yesterday at 3:15 P. M., RAYMOND W. WOODALL, in his twentieth year.

Funeral from above residence THURSDAY, December 7, at 2:30 P. M. Interment in Oakwood.

WILL NOT AWAIT BOARD'S REPORT

(Continued From First Page.)

destroy the long and short haul clause of the interstate commerce law as well as the power of the Interstate Commerce Commission to perform its functions.

Mr. Polindexter declared that "in every important case where the petition is filed by a railroad company the Commerce Court has enjoined the orders of the Interstate Commerce Commission."

"It has destroyed the effectiveness of this commission," he said. "The commission, by its good work for people, has won the confidence of the people. The Spokane case was carefully considered by the commission for year. Conclusions were tested by application to actual business before ordered into effect. And yet the raw Commerce Court, without special experience, in a brief hearing, enjoins the carefully considered and thoroughly tested order."

"The court is entirely superfluous, has grossly exceeded its authority and will be constantly prone to arrogate to itself functions which do not belong to it, which are not judicial and which can never be properly exercised by a judicial tribunal. It should be at once abolished."

Off for Panama. Washington, December 5.—The Panama Canal Commission, the House Committee on Interstate and Foreign Commerce will start Sunday when the members of the committee, headed by Chairman Adamson, will sail from New York. They will be away three weeks. The committee purposes to examine the canal with a view to proposing legislation for its operation.

WABASH CONTROL PASSES

Hawley and Associates Elected to Board of Directors. (Special to The Times-Dispatch.) New York, December 5.—The Wabash Railroad Company is to be reorganized, possibly without the expedient of receivership, possibly with it. If that proves unavoidable, as was indicated by the election of four new directors to-day to fill the places of directors who have been a change in the ownership of the road which amounts practically to a change of ownership. When Alvin W. Trust, president of the Equitable Trust, said to-day that he was not sure whether the statement issued by the office to the effect that the new directors had been elected at the request of his institution was to be taken as trustee of the first and refunding

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were that mobs of Oaxacans paraded the streets shouting "Viva Juarez," "Viva Oaxaca libre (Independence)" and "Death to Madero."

Among the lynchings were many of the former followers of Gomez, who declared he had betrayed them.

Reyes in Mexico. Mexico City, December 5.—General Bernardo Reyes has returned to Mexico. Just where he is and just where he crossed the international boundary are not generally known, but that he is in Mexican territory is an official statement. Instead of manifesting alarm because of his coming, government officials to-night expressed keen pleasure. They believe they will have little trouble in effecting his capture, and the statement is made that if taken he will have to stand trial on the charge of inciting rebellion.

Boards Train at Petrus. Corpus Christi, Texas, December 5.—According to information brought to Corpus Christi to-night, General Bernardo Reyes and a small party of his followers boarded a southbound train, Antonio and Aransas Pass train at Petrus, Texas, yesterday. Tickets were held to Alvin W. Trust, president of the International and Great Northern and San Antonio and Aransas Pass Railroads.

War Munitions Shipped. New Orleans, La., December 5.—Agents of the Mexican government are investigating a report that 5,000 rifles and a large quantity of ammunition were shipped from a point near Gulfport, Miss., on the evening of November 28, destined to some point in Yucatan.

OBITUARY

Raymond W. Woodall. Raymond W. Woodall died yesterday afternoon at 3:15 o'clock at the residence of his uncle, G. L. Satterwhite, 206 Fourth Avenue, Highland Park. Mr. Woodall was twenty years of age. He was a son of the late G. W. and Mary Satterwhite Woodall. The funeral will take place from the residence of his uncle this afternoon at 2:30 o'clock. The interment will be in Oakwood Cemetery.

Miss Helen Montague. Miss Helen Montague, daughter of the late John H. and Melinda M. Montague, died yesterday morning at 1:50 o'clock in her home, 118 East Franklin Street. The funeral will take place at noon to-day from St. James Episcopal Church and the interment will be in Hollywood.

W. W. Talmaque. William Walter Talmaque died at his residence, 1122 North Twenty-sixth Street, yesterday evening at noon. He is survived by his mother, Mrs. H. W. Talmaque, and his father, Mr. H. W. Talmaque. The funeral will take place from the residence of his mother this afternoon at 2:30 o'clock. The interment will be in Blanford Cemetery.

Mrs. Lily Tatum. Mrs. Lily Tatum, daughter of Dr. R. H. Tatum, died yesterday in Wheeling, W. Va. The funeral will be held from Main Street Station to-morrow at 1:12 P. M., and the interment will be in Hollywood.

Mrs. Sallie A. Via. (Special to The Times-Dispatch.) Charlottesville, Va., December 5.—Mrs. Sallie A. Via, aged sixty-seven, died this morning at her home on Rose Hill, Va. The funeral will take place at noon to-day from St. James Episcopal Church and the interment will be in Hollywood.

John H. Maupin. (Special to The Times-Dispatch.) Charlottesville, Va., December 5.—A message was received here to-day announcing the death in Clarence, Mo., of John H. Maupin. Mr. Maupin was a native of Virginia, but moved to Missouri a number of years ago and was engaged in the drug business. He is survived by his wife, who was Miss Taylor, of Petersburg, Va. The funeral will take place from the residence of his wife to-morrow at 1:12 P. M., and the interment will be in Blanford Cemetery.

Mrs. Dora A. Moncreur. (Special to The Times-Dispatch.) Fredericksburg, Va., December 5.—Mrs. Dora Ashby Moncreur, widow of Powhatan Moncreur, of Stafford county, died at her home, 118 East Franklin Street, at 1:50 A. M. Tuesday. She is survived by three daughters, Mrs. W. J. Morton, of Alexandria; Mrs. Taylor, of Petersburg; Mrs. H. W. Talmaque, of Stafford; three sons, Frank Moncreur, of Stafford; and another son, who is residing in England.

Deaths at Leesburg. (Special to The Times-Dispatch.) Leesburg, Va., December 5.—George Smith was reburied here to-day after being killed by a horse and injured internally, died while on the way to a hospital in Washington last Sunday afternoon. He was married, and leaves a wife and a child six months old.

John Perry died late yesterday afternoon at the home of his daughter, Mrs. J. N. Sampell. Mr. Perry was advanced in years and had been in failing health for a long time. He is survived by one son, William Perry, a daughter, Mrs. N. Sampell, and two brothers, Mr. B. Perry and P. Perry—all of Leesburg.

FUNERAL NOTICE

MONTAGUE—The Colonial Dames of America in the State of Virginia requested to assemble at 11:55 A. M. DECEMBER 6, at St. James Church to attend in a body the funeral of MISS HELEN MONTAGUE.

Children Cry FOR FLETCHER'S CASTORIA

ONLY 8 HOURS TO NEW YORK. THROUGH PARLOR CAR, BALTIMORE & OHIO.

Leave Richmond, Byrd Street Station, daily at 12:01 noon, for Baltimore, Philadelphia and New York. No change of cars.

THE PLUNKETT HOUSE, Lynchburg, Va.

Situated 317 Court Street, is the only thoroughly equipped family boarding house in the city. In the best neighborhood. Insist on transfers taking you to the Plunkett House.

We Remind You Again

That there is no safer depository for your funds than this strong bank. Open an account with us, either checking or savings, and you receive not only absolute security, but the best banking facilities that a modern and progressive bank can offer. 3 Per Cent. Interest, compounded semi-annually, paid on savings accounts. You can deposit as small amount as \$1.00.

Write for booklet, "Banking by Mail."

Planters National Bank

Twelfth and Main Streets, Richmond, Va.

Capital \$300,000.00

Surplus and Profits \$1,350,000.00